



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
FAX: (302) 739-2712
WEBSITE: WWW.DPR.DE.LAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING
DATE AND TIME:	Wednesday, July 14, 2010 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd. Dover, DE 19904
APPROVED:	September 8, 2010

MEMBERS PRESENT

Evelyn Nicholson, Vice President, Public Member
Robert Contino, RN Member
Robert Draine, Public Member
Harland Sanders, Jr., Public Member
Dianne Halpern, RN Member
Tracy Littleton, LPN Member
Mary Lomax, Public Member
Barbara Peterson, RN Member
Delphos Price, APN Member
Lyron Deputy, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

David Mangler, Executive Director
Patricia Davis-Oliva, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Rebecca Walker, RN, President
Kathleen Burgos, LPN Member

ALSO PRESENT

Lisa Schieffert
Don Stein
Marla Plummer
Lindsey Warren
Amber Wright

Rachel Knowles
Yvonne Sesenig
Lauren Miller
Tanesha Perry
Aric Dryda

Mair-Carmen Audinot
Tamala Paxton
Connie Bushey
K. Janvier
Barbara Robinson

Francis Tormen

Bernice Hardy

Felicitas Ateghang

Ms. Nicholson called the meeting to order at 9:05 a.m.

REVIEW OF MINUTES

The Board reviewed the minutes of the meeting held on June 9, 2010. Dr. Contino made a motion, seconded by Dr. Peterson, to accept the minutes with the editorial changes as presented. The motion carried by a vote of 9 in favor, with Mr. Deputy abstaining.

ADOPTION OF THE AGENDA

Ms. Nicholson reviewed the amendments to the agenda. Mr. Mangler reviewed the amended agenda provided to the Board at the beginning of the meeting. Mr. Price made a motion, seconded by Dr. Peterson, to accept the agenda as amended. The motion was unanimously carried.

ACTIVITIES REPORT

Mr. Mangler presented the activity report.

Total Licenses	=	17662
APN	=	1072
APN Permits	=	4
RN	=	13885
RN Permits	=	28
GN Permits	=	20
LPN	=	2665
LPN Permits	=	4
PN Permits	=	0

UNFINISHED BUSINESS

Ratifications of Assignments Complaint and Board Member Assignments – Tabled from Previous Meetings

Ratification of Assignments – Tabled from Previous Meeting(s)

11-54-09	Reassigned to L. Deputy
11-73-09	Reassigned to L. Deputy
11-12-10	L. Deputy
11-17-10	L. Deputy
11-25-10	L. Deputy

Mr. Price made a motion, seconded by Dr. Lomax, to ratify the assignment of the complaints. The motion was unanimously carried.

Final Denials

There being no response from Mr. Luciano Rios to the correspondence sent June 3, 2010, Mr. Price made a motion, seconded by Dr. Lomax, to deny the application for licensure by endorsement of Luciano Rios. The motion was unanimously carried.

There being no response from Ms. Tearra Martin to the correspondence sent June 3, 2010, Mr. Price made a motion, seconded by Ms. Halpern, to deny the application for licensure by examination of Tearra Martin. The motion was unanimously approved.

The final denial for the application by endorsement for Mona Stone was tabled.

There being no response from Ms. Hackenberg to the correspondence sent June 11, 2010, Mr. Price made a motion, seconded by Dr. Peterson, to deny the application for licensure by endorsement of Denise Hackenberg. The motion was unanimously approved.

At the request of Deputy Attorney General Davis-Oliva, the item "Education Issues" was moved to the bottom of the agenda.

Licensure by Examination

Mr. Draine made a motion, seconded by Mr. Price, to vacate the Board's proposal to deny licensure to Amber Simms. Ms. Simms is to be made eligible for the NCLEX exam and licensure is to be granted upon successfully passing. The motion was unanimously carried.

Mr. Price made a motion, seconded by Dr. Lomax, to vacate the Board's proposal to deny licensure to Angel Oberton. Ms. Oberton is to be made eligible for the NCLEX exam and licensure is to be granted upon successfully passing. The motion was unanimously carried.

COMMITTEE REPORTS

Mr. Mangler announced that a date to hold a meeting of the Rules and Regulations Committee is being coordinated for August. The meeting date, time and location will be announced on the State's meeting calendar.

PRESIDENT'S REPORT

Ms. Walker was absent. Ms. Nicholson discussed the upcoming Annual Meeting of the National Council of State Boards of Nursing in Portland, OR. Mr. Mangler, Ms. Walker and Ms. Nicholson will be attending.

EXECUTIVE DIRECTOR'S REPORT

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

Examination

Ms. Nicholson reviewed the background issues for Rachel Ackerman. After discussion of the court documents and statement submitted by Ms. Ackerman, Ms. Halpern made a motion, seconded by Mr. Price, to grant a waiver to 24 *Del. C.* § 1910(5) and allow her to sit for the NCLEX examination. The motion was unanimously carried.

Ms. Nicholson reviewed the background issues for Amanda Wilson. After discussion of the court documents and written statement of the Pennsylvania probation officer indicating that the probation for Ms. Wilson ended February 2007, Dr. Peterson made a motion, seconded by Dr. Contino, to propose to deny licensure by examination. Ms. Wilson doesn't meet the requirement in 24 *Del. C.* § 1914(5). The motion was unanimously carried.

Ms. Nicholson reviewed the 1999 issues related to the application of Allison Smith. Ms. Smith graduated in May 1999 and sat for the NCLEX once since graduation, but did not pass. Mr. Price made a motion, seconded by Dr. Lomax, to approve Allison Smith to sit for the exam upon submission of evidence of successful completion of an NCLEX-PN review course. The Board reserves further jurisdiction once Ms. Smith is successful on the NCLEX to determine any further requirements prior to licensure. The motion was unanimously carried.

Endorsement

Ms. Nicholson reviewed the background issues for Sharon Morsbach, LPN, an applicant for licensure by endorsement. Mr. Price made a motion, seconded by Dr. Peterson, to propose to deny licensure. Ms. Morsbach stated in her letter why documents were not available. The Board discussed the letter from the Municipal Court of Atlanta of May 24, 2010 and application. The motion was unanimously carried.

Ms Nicholson reviewed the application for licensure by endorsement and qualifications of Karen Tate, RN. The Board discussed the application. Ms. Tate is a graduate of a Canadian nursing program who took and passed the Canadian Nurse licensure exam. The Board's Rules and Regulations require that an applicant not having taken the NCLEX, but who was originally licensed in Canada, must attain a score of 400 on the CNATS. Ms. Tate's CNATS score was 397, below the 400 limit established in the Rules. Ms. Davis-Oliva gave counsel to the Board. After further discussion Mr. Price made a motion, seconded by Dr. Lomax, to propose to deny the application based on failure to meet the requirements of rule 6.4.4. The motion was unanimously carried.

Rule 6.4.4 Canadian applicants writing the Canadian Nurses' Association Testing Service (CNATS) Examination, first administered August 1980, are eligible for licensure by endorsement with a passing score of 400.

Ms. Nicholson reviewed the application for licensure by endorsement of Mary Thompson, RN. The board discussed the application and the negative Employer Reference submitted by a prior employer not recommending Ms. Thompson for licensure. Dr. Peterson made a motion, seconded by Ms. Littleton, to propose to deny licensure based on the negative reference. The motion carried by a vote of 9 in favor. Dr. Contino abstained.

Ms. Nicholson reviewed the application for licensure by endorsement for Wendy Thomas, RN. Dr. Peterson made a motion, seconded by Ms. Halpern, to approve licensure to Ms. Thomas. The motion was unanimously carried.

Reinstatement

None

Advanced Practice Nurse

Ms. Nicholson reviewed the background issues for Cheryl Zdana. Dr. Contino made a motion, seconded by Mr. Price, to grant licensure as an advanced practice nurse to Ms. Zdana. The motion was unanimously carried.

Renewal

None

RATIFICATION OF ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

11-34-10	M. Lomax	11-38-10	T. Littleton
11-39-10	H. Sanders	11-35-10	M. Lomax
11-40-10	L. Deputy	11-36-10	R. Contino
11-41-10	T. Littleton	11-37-10	T. Littleton

Mr. Price made a motion, seconded by Dr. Lomax, to ratify the assignment of complaints. The motion was unanimously carried.

CLOSED COMPLAINTS

Dismissed case(s) by the Attorney General's Office

11-32-08

Closed Investigation(s) by the Division of Professional Regulation

11-79-09

CONSENT AGREEMENTS

Dianne Polite, RN – The Consent Agreement was reviewed by the Board. Dr. Peterson made a motion, seconded by Mr. Draine, to accept the consent agreement. The motion was unanimously carried.

Jean Sabol, RN – The Consent Agreement was reviewed by the Board. Dr. Peterson made a motion, seconded by Mr. Price, to accept the consent agreement. The motion was unanimously carried.

Edwin Hertzler, RN – The Consent Agreement was reviewed and discussed by the Board. Dr. Peterson made a motion, seconded by Ms. Halpern, to NOT accept the Consent Agreement. The motion was unanimously carried. The State and Respondent will be notified and a hearing scheduled.

HEARING PANEL FINDINGS/DECISIONS/ORDERS

Mary Lindhorst, LPN – Dr. Contino made a motion, seconded by Mr. Price, to accept the Hearing Panel's Findings, Decisions, and Order to revoke the license of Mary Lindhorst. The motion carried by a vote of 7 in favor, with Mr. Deputy, Ms. Nicholson, and Dr. Peterson abstaining.

Douglas Entenman, RN, CRNA – Dr. Contino made a motion, seconded by Mr. Price, to deny the request of Mr. Entenman for a second hearing pertaining to the disciplinary order previously placed by the Board. The motion was unanimously carried. Mr. Entenman and his counsel will be notified in writing.

The Board recessed at 10:40 a.m. and resumed for Hearings at 10:50 a.m.

HEARINGS

HEARING – Victor Strazzella

The Delaware Board of Nursing held a hearing on July 14, 2010, at 10:52 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware at the request of Mr. Strazzella. Mr. Strazzella submitted a request to have the suspension of his RN license lifted.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, Robert Contino, and Robert Draine

RECUSED: None

EXCUSED: Kathy Bradley and Rebecca Walker

PURPOSE: Request to Lift Suspension

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A

RESPONDENT: Victor Strazzella

COUNSEL FOR THE RESPONDENT: N/A

WITNESSES FOR THE STATE: N/A

WITNESSES FOR THE RESPONDENT: N/A

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 10:52 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Mr. Strazzella being present for the Hearing. Ms. Davis-Oliva entered the documents as Respondent's Exhibit 1. The Exhibit was circulated among the Panel members. The Panel went off the record for deliberations at 11:15 a.m. The Panel went back on the record at 11:26 a.m. Mr. Draine made a motion, seconded by Ms. Littleton, to lift the suspension for Victor Strazzella's Delaware Registered Nurse license and place it on Probation in accordance with the terms in the Consent Agreement.

The motion was unanimously carried.

The hearing concluded at 11:28 a.m.

HEARING – Lorina Ferebee-Sellers

The Delaware Board of Nursing held a hearing on July 14, 2010, at 11:30 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, Robert Contino, and Robert Draine

RECUSED: None

EXCUSED: Kathy Bradley and Rebecca Walker

PURPOSE: Proposal to Deny

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A

RESPONDENT: Lorina Ferebee-Sellers

COUNSEL FOR THE RESPONDENT: N/A

WITNESSES FOR THE STATE: N/A

WITNESSES FOR THE RESPONDENT: N/A

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 11:30 a.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Lorina Ferebee-Sellers as present for the Hearing. Ms. Davis-Oliva entered the documents as Respondent's Exhibit 1. The Exhibit was circulated among the Panel members. The Panel went off the record for deliberations at 11:37 a.m. The Panel went back on the record at 11:40 a.m. Mr. Price made a motion, seconded by Dr. Lomax, to grant a waiver to Lorina Ferebee-Sellers to be licensed in the State of Delaware.

The motion was unanimously carried.

The hearing concluded at 11:42 a.m.

HEARING – James Bohannon

The Delaware Board of Nursing held a hearing on July 14, 2010, at 1:04 p.m. in the Second Floor Conference Room, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, and Robert Contino

RECUSED: None

EXCUSED: Kathy Bradley, Rebecca Walker and Robert Draine

PURPOSE: Proposal to Deny

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A

RESPONDENT: James Bohannon

COUNSEL FOR THE RESPONDENT: N/A

WITNESSES FOR THE STATE: N/A

WITNESSES FOR THE RESPONDENT: N/A

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 1:04 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Mr. Bohannon was present for the Hearing. Ms. Davis-Oliva entered the documents as Respondent's Exhibit 1. The Exhibit was circulated among the Panel members. The Panel went off the record for deliberations at 1:17 p.m. The Panel went back on the record at 1:20 p.m. Mr. Price made a motion, seconded by Ms. Littleton, to grant a waiver to James Bohannon for licensure in the State of Delaware.

The motion was unanimously carried.

The hearing concluded at 1:20 p.m.

HEARING – Sister Jeanne Ries

The Delaware Board of Nursing held a hearing on July 14, 2010, at 2:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, and Robert Contino

RECUSED: None

EXCUSED: Kathy Bradley, Rebecca Walker and Robert Draine

PURPOSE: Proposal to Deny

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, Esq.

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A

RESPONDENT: Sr. Jeann Ries

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: Sister Joseph Butler, Joseph Bianculli

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 2:00 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Sister Jeanne was present for the Hearing. Ms. Davis-Oliva entered the documents as Respondent's Exhibit 1. The Exhibit was circulated among the Panel members. Witnesses spoke on behalf of Sister Jeanne. The Panel went off the record for deliberations at 2:19 p.m. The Panel went back on the record at 2:23 p.m. Mr. Price made a motion, seconded by Mr. Deputy, to grant a waiver to Sister Jeanne Ries for licensure in the State of Delaware.

The motion was unanimously carried.

The hearing concluded at 2:24 p.m.

HEARING – Bernard Denny

The Delaware Board of Nursing held a hearing on July 14, 2010, at 2:30 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, and Robert Contino

RECUSED: None

EXCUSED: Kathy Bradley, Rebecca Walker and Robert Draine

PURPOSE: Proposal to Deny

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, Esq.

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Bernard Denny

COUNSEL FOR THE RESPONDENT:

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 2:30 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Bernard Denny was present for the Hearing. Ms. Davis-Oliva entered the documents as Respondent's Exhibit 1. The Exhibit was circulated among the Panel members. The Panel went off the record for deliberations at 2:51 p.m. The Panel went back on the record at 2:53 p.m. Mr. Price made a motion, seconded by Dr. Peterson, to deny Bernard Denny license reinstatement in the State of Delaware until Mr. Denny meets the qualifications.

The motion was unanimously carried.

The hearing concluded at 2:56 p.m.

EMERGENCY HEARING – Terry M. McCarthy

The Delaware Board of Nursing held a hearing on July 14, 2010, at 2:45 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, and Robert Contino

RECUSED: None

EXCUSED: Kathy Bradley, Rebecca Walker and Robert Draine

PURPOSE: Emergency Hearing – Allegations of Violation of Boards Rules

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva

DEPUTY ATTORNEY GENERAL FOR THE STATE: Barbara Gadbois

RESPONDENT: Terry M. McCarthy

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 2:58 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Terry McCarthy was present for the Hearing. Ms. Davis-Oliva entered the documents as State's Exhibit 1. The Exhibit was circulated among the Panel members. The Panel went off the record for deliberations at 3:12 p.m. The Panel went back on the record at 3:14 p.m. Dr. Peterson made a motion, seconded by Mr. Price, to grant the State's petition for temporary suspension of the license of Terry McCarthy. A hearing is to be scheduled within sixty days.

The motion was unanimously carried.

The hearing concluded at 3:15 p.m.

DISCIPLINARY HEARING – Tracy Heiney

The Delaware Board of Nursing held a hearing on July 14, 2010, at 3:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Lyron Deputy, Evelyn Nicholson, Barbara Peterson, Dianne Halpern, Harland Sanders, Tracy Littleton, Delphos Price, Mary Lomax, and Robert Contino

RECUSED: None

EXCUSED: Kathy Bradley, Rebecca Walker and Robert Draine

PURPOSE: Disciplinary Hearing

PRESIDING: Evelyn Nicholson, Vice-President

BOARD STAFF: David C. Mangler, Executive Director, and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva

DEPUTY ATTORNEY GENERAL FOR THE STATE: Barbara Gadbois

RESPONDENT: Tracy Heiney

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: Cathleen Reynolds

COURT REPORTER PRESENT: Vera Sitze, Wilcox and Fetzer

TIME STARTED: 3:23 p.m.

The court reporter took verbatim testimony. The Board introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Tracy Heiney was present for the Hearing. Ms. Davis-Oliva entered documents as Respondent's Exhibits 1 & 2 – Collection of certificates and letters. The Exhibits were circulated among the Panel members. Ms. Reynolds spoke on

behalf of Ms. Heiney. The Panel went off the record for deliberations at 3:55 p.m. The Panel went back on the record at 4:15 p.m. Dr. Contino made a motion, seconded by Dr. Peterson, to suspend Tracy Heiney's license for the duration of her court-ordered probation, which is 16 months.

The motion was unanimously carried.

The hearing concluded at 4:24 p.m.

LEGISLATIVE UPDATE

Mr. Mangler reported that Senate Bill 286, which provides for three regulatory changes to the Delaware Nursing license law, was passed by both houses of the State legislature and currently awaits signature by the Governor. The Bill requires representation on the Board by a nurse educator, allows for the signature of an officer of the Board on a Board action following a hearing or acceptance of a hearing panel's decision and order by a quorum of the Board, and creates the ability for the Board to waive the education requirement in specific situations for the licensure by endorsement of licensed practical nurses.

Mr. Mangler reported that Senate Bill 232, passed in the Senate and House of Representatives, and awaits the Governor's signature. Senate Bill 232 provides that at the conclusion of a hearing, a license that is to be revoked or suspended, shall be effective immediately and that the Order shall be signed within 30 days of the hearing's conclusion.

Mr. Mangler reported that Senate Bill 298, signed by Governor on June 30, 2010 provides authority for Board of Medical Licensure and Discipline to fine ...any person, any healthcare provider, any healthcare institution, the Medical Society of Delaware for violation of any duty to report unprofessional conduct... Fine is not to exceed \$10,000 for first violation, and not to exceed \$50,000 for any subsequent violation.

REVIEW OF COMPLIANCE

Doreen K. Mufor, LPN – Ms. Mufor requested to have her probation lifted. She was placed on the Adult Abuse Registry for neglect of a resident in October 2005. She was removed from the Registry in December of 2008. Probation of her nursing license was to be for three years to coincide with her placement on the Abuse Registry and that she also attend a course on patient abuse and neglect prior to the end of her probationary period. Probation began April 2007, and Ms. Mufor completed two courses on Neglect and Abuse in June of 2010. Mr. Price made a motion, seconded by Mr. Deputy, to lift probation for Ms. Doreen Mufor. The motion carried by a vote of 9 in favor. Dr. Peterson abstained.

Lisa Winter-Peterson, RN – Ms. Winter-Peterson requested to have her probation lifted. There were phone communications with the Board office regarding the status of lifting the probation. She requested reinstatement without probation in 2005. Her Order included: evaluation by chemical dependency specialist and written report, (the report included in her compliance file suggested she "...could benefit from counseling..." but that evaluator didn't feel she was at risk for repeat diversion); was to arrange for random drug screens and written progress reports to the Board from therapist/treatment provider – a minimum of six drug screens. Ms. Winter-Peterson's compliance file includes no drug screen results/reports have been provided to the Board; copies of period reports from her employer are included in the file. Mr. Price made a motion, seconded by Ms. Littleton, to propose to deny Ms. Winter-Peterson's request for her probation to be lifted. The motion was unanimously carried.

PRACTICE WITHOUT LICENSURE REVIEWS

Mr. Mangler reported that one person over 60 days; as second person with two instances at two different facilities – one over 60 days and one under 60 days.

PRACTICE ISSUES

EDUCATIONAL ISSUES

Beebe School of Nursing asked the Board for approval of an additional Faculty Member. Dr. Peterson made a motion, seconded by Mr. Price, to approved Beebe's request to add Morgan Mast, BSN, RN as an additional Faculty Member. The motion was unanimously approved.

Delcastle High School PN Program submitted its six month report indicating that it remains on track for ending the practical nurse program at the conclusion of graduation of its freshmen class students.

Camtech, Inc., PN Program requested approval for a new Program Director, Bernice Hardy. Dr. Contino made a motion, seconded by Mr. Deputy, to approve the request for Bernice Hardy to become the new Program Director for Camtech, Inc. PN Program. The motion was unanimously approved.

Faculty Addition Request for Camtech, Inc.

Following the review of the respective credentials, Ms. Halpern made a motion, seconded by Dr. Contino, to approve the following Faculty Members:

Diane Arcidiancono, BSN

Terdinand Tabi, BSN

Courtney Porstman, BSN

Claudia Achoja, BSN

The motion was unanimously carried.

AAACEUS.com requested approval as a Board-approved continuing education provider. Mr. Mangler reported that the application and materials submitted by AAACEUS.com were complete and recommended that the Board approve the request. Mr. Price made a motion, seconded by Mr. Draine, to approve AAACEUS.com as a Board-approved continuing education provider for a three year period. The motion was unanimously carried.

JMJ School of Health Sciences – Mr. Mangler reported that the Board has received a request to open a practical nurse education program from JMJ School of Health Sciences. Evidence that this school has been approved by the Delaware Department of Education's Business and Trade Schools division has still not been received. A meeting of the Board's Practice and Education Committee will be scheduled to review the application materials.

University of Delaware requested approval of an Interim Program Director. The Board received a letter from Deputy Dean Susan Hall informing the Board of the departure of Dr. Kenneth Miller and requesting approval for Dr. Kathleen Schell as the Interim Program Director of the School of Nursing. Following the review of Dr. Schell's credentials, Dr. Peterson made a motion, seconded by Mr. Deputy, to approve Dr. Kathleen Schell as the Interim Program Director for the University of Delaware's School of Nursing. The motion was unanimously carried.

LICENSURE ISSUES

None

NCSBN

As previously indicated, Ms. Walker, Ms. Nicholson, and Mr. Mangler will be attending the Annual Meeting of the National Council. Ms. Walker and Ms. Nicholson will be seated as the

two Delegates for Delaware.

LICENSEE APPROVAL

Mr. Price made a motion, seconded by Ms. Halpern, to ratify the Licensee List as presented. The motion was unanimously carried.

PUBLIC COMMENT

Those in attendance introduced themselves with no comment.

SCHEDULED MEETING

The next regularly scheduled meeting will be held on September 8, 2010, at 9:00 a.m. in the Cannon Building, 861 Silver Lake Blvd, Suite 203, Conference Room A, Dover, DE 19904.

ADJOURNMENT

There being no further business, Mr. Price made a motion, seconded by Ms. Littleton, to adjourn at 12:19 p.m. The motion was unanimously carried.

At the conclusion of the Hearing that ended at 4:24 the Board was again called to order by Ms. Nicholson and a motion to amend the agenda was made. The Consent Agreement for Shawn Walker, RN was introduced. Mr. Mangler read the contents of the Consent Agreement to the Board. Mr. Price made a motion, seconded by Mr. Deputy, to accept the Consent Agreement. The motion was unanimously carried.

There being no further business, Mr. Price made a motion, seconded by Ms. Halpern, to adjourn at 4:28 p.m. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sandra Wagner".

Sandra Wagner
Administrative Specialist III
Delaware Board of Nursing